

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

September 22, 2004

The meeting was called to order at 4:01 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah.

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Paul Nixon, Karen Lang, Mario Cisneros, and Terri Mills

ABSENT: Jack Matheson

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Kevin Hooper, Steve Pastorik, Ron Weibel, and Lori Cannon

WEST VALLEY ADMINISTRATIVE STAFF:

Joseph Moore, CED Director
Nicole Cottle, Asst. City Attorney

AUDIENCE

Approximately nine (9) people were in the audience.

GPZ-3-2004

Shawn Strong

1557 West 2320 South

General Plan change from Low Density Residential and Mixed Use to Medium Density Residential

Zone change from A to RM

2.69 Acres

Mr. Joseph Moore presented the application.

Mr. Shawn Strong is requesting a change in the General Plan from low density residential and mixed use to medium density residential for two parcels totaling 2.69 acres located at 1557 West 2320 South. Mr. Strong is also requesting a rezone for both parcels from A (agriculture, minimum lot size ½ acre) to RM (residential, multi-family). The larger of the two parcels includes a single family home built in 1961. If this application is approved, Mr. Strong would like to remove the existing single family home and develop 24 townhome units similar to the Red Oaks project to the south and west.

Surrounding zoning includes R-1-8 to the north, A to the east and RM to the south and west. Adjacent uses include single family homes to the north and east, townhomes to the south and a portion of the west and a Granger Hunter pump house on the remaining west portion.

Included with this analysis is a letter from Mr. Strong describing why he believes this application should be approved.

Issues

Within approximately ¼ mile of the subject property there are 87 duplexes (174 dwelling units), a small apartment complex with an estimated 24 dwelling units and the Red Oaks townhome development with 134 dwelling units upon completion. Clearly there exists a large amount of multi-family housing in the area. However, it appears from the information submitted by Mr. Strong that the units he is proposing to build would be a step up in terms of quality and price from what exists in the area.

Although not required, staff suggests that if the Planning Commission recommends approval to the City Council, the approval be subject to a development agreement that would address:

- Exterior finish materials
- The maximum number of units
- Roof pitch
- The size of units
- Design features (building elevations as exhibits)
- Street lighting
- An entrance feature
- A sidewalk on at least one side of the private street
- Fencing
- Private, fenced rear yards/patio spaces
- Open space and amenities

If this application is approved, the applicant will need to submit a conditional use and subdivision application. During the conditional use review, the Planning Commission will have the opportunity to address items that were not addressed in the development agreement (assuming a development agreement is required).

Applicant:

Shawn Strong
2473 S. 1100 W.

Favored:

David Juricic
1557 W. 2320 S.

Concerned:

Reed Petersen
1470 W. 2280 S.

Opposed:

Susan Drechsel
1555 W. 2320 S.

Concerned:

Tom Williams
1496 W. 2320 S.

Favored:

John Thorton
Broker for applicant

Discussion: Commissioner Mills indicated 24 townhouse units seemed too dense for this property, and suggested fewer units. Mr. Shawn Strong reminded this number of units is allowed with this zone. He wants to stay with 24-units for financial reasons. Commissioner Lang asked if the units would be slab-on-grade, and what the square footage of the units would be. Mr. Strong replied the units would be slab-on-grade. He stated the single car unit would be 1,450 square feet, and the two car unit would be 1,630 square feet. Commissioner Lang inquired if storage sheds would be allowed in the back yards. Mr. Strong assured the homeowners will own the property, but he most likely would not allow storage sheds, as they would clutter up the property. Commissioner Nixon suggested the garage doors be some other color besides white. Mr. Strong answered the garage doors could be an color matching the exterior stone. Mr. David Juricic lives near this property, and is in favor of the development. He and his neighbors like the idea of single family homes rather than apartments or multi-unit dwellings. Mr. Juricic informed the Commission that surrounding homes are actually smaller than the proposed units. Mr. Reed Petersen was concerned this development would be too dense, but is glad it will not be rental units. He is concerned about traffic congestion. Ms. Sue

Drechsel lives near this proposed development, and expressed her opposition. She has animals on her property and does not think the smells from animals will work well with new homes. Ms. Drechsel requested a ten-foot cinderblock fence placed between their properties, rather than the proposed 8-foot fence. She had issues with increased traffic, stating there is already a high volume of traffic, making it difficult to pull out onto the road. Commissioner Cisneros asked how many animals Ms. Drechsel had. Ms. Drechsel replied she has 16 sheep and 2 lamas. Commissioner Lang inquired of the type of fence currently existing between the Red Oaks Development and Ms. Drechsel's property. Ms. Drechsel answered that she placed a chainlink fence around her property. She explained she utilizes three different adjacent properties to run her sheep. Mr. Tom Williams lives near this property and also owns sheep. He indicated dogs climb fences to get to the sheep, so they use lamas to protect the sheep. Mr. Williams had concerns regarding traffic and asked how to reduce traffic. He would like a ten-foot fence placed to reduce dangerous situations for animals, plus odors that increase with change in weather. Mr. Williams requested a sturdy fence with materials such as cinderblock. Mr. David Juricic discussed the fence between the Red Oaks Subdivision and his property, stating they would like a solid fence to protect his sheep and horses. Commissioner Nixon asked Joseph Moore if the traffic issues could be redirected and resolved. Joseph Moore updated the Commission regarding the State's traffic plan for this area, suggesting traffic access will be enhanced in the future. Mr. Strong reminded that he could have increased the zone to high density, but decided to stay at medium density in consideration of nearby residents. He believes most of the traffic in this area is caused by businesses to the east of this property. Mr. Strong understands the concerns about animals, and would be willing to place a six-foot chainlink fence along the property line. Ms. Drechsel again requested a solid fence, stating if the fence was made of wood, the animals would eat the fence. Mr. John Thorton is a Broker with Prudential Real Estate and has been involved with this property for many years. He believes the best use for the property is what is now being proposed, otherwise, it could be zoned commercial. Mr. Thorton believes this development would only add 20 to 30 more cars to the area. He gave a suggestion for stop signs to adjust and possibly divert traffic flow, regulating it through the area. Joseph Moore reminded the Commission that issues such as fencing would be discussed during the subdivision phase of the project.

Chairman Woodruff closed the meeting to public input at 4:28 p.m.

Commissioner Mills perceived the development is too dense. Commissioner Cisneros agreed there are many units in the area. He said it is very dense, and this subdivision would not help with the traffic issue. Commissioner Nixon reminded that future road work by the State should alleviate some traffic issues. He is glad this application is for single family homes, suggesting they would enhance the area. Commissioner Cisneros believes this type of development is the right fit for the area, but has concerns regarding traffic.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Nixon moved for approval subject to a development agreement which addresses the points listed above.

Seconded by Commissioner Lang.

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	No
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	No
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - GPZ-3-2004 - approved

Z-11-2004

Guillermo Ramirez

3374 South 4000 West

R-1-8 to RB .29 Acres

Mr. Joseph Moore presented the application.

The applicant is representing the property owner, Guillermo Ramirez, requesting a zone change from residential single family (R-1-8) to residential business (RB). The property is located at approximately 3374 South 4000 West. There is single family home on the property that is currently vacant. The West Valley City General Plan anticipates office, general commercial or medium density uses for this area. There is one small residential lot directly to the north that is zoned R-1-8, the remainder of the surrounding properties are zoned C-2 (general commercial), and the uses include Pioneer Valley Hospital, Gus Paulos Chevrolet and a shopping center. Presently the house on the R-1-8 property to the north is vacant, as is the house on the subject property.

The residential business zone allows single-family dwellings as a permitted use, but also allows uses such as office and professional as well as financial institutions. If the zone change is approved the applicant will operate a medical billing business at this location. This use would be a fairly low impact use for this site. If the zone is changed to RB, any business would be required to comply with all requirements of the zoning ordinances, such as landscaping, setbacks, parking location and configuration and screening. The applicant may be required to build a six foot high wall along the property boundary adjacent to any residential uses, and would also be required to install any lighting on the site so that it would not negatively impact the adjacent residential uses.

Applicant

Luis Coronado

3374 S. 4000 West

Discussion: Mr. Luis Coronado informed the Commission that he plans to open a small business for bookkeeping and payroll services. Commissioner Mills asked the applicant if he understood screening may be required between this business and the home to the north. The applicant replied yes, he understood this. Ron Weibel noted the current property owner plans to propose a bid on the property to the north. He said if purchased, an additional zone change application would follow. Ron explained the applicant is waiting for clearance from Salt Lake County's Health Department prior to opening a business.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Cisneros moved for approval subject to the resolution of any issues raised at the public hearing and the following conditions:

1. Site development must comply with all provisions of West Valley City Zoning ordinances.
2. All parking for the business shall be on a hard-surfaced area and out of the front yard setback.
3. A six foot high wall of a type approved by the Planning Commission shall be constructed adjacent to any residential use.

Seconded by Commissioner Matheson.

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - Z-11-2004 - approved

SV-4-2004

**Hayne's Addition Plat E – Street and Alley Vacations
5600 West 2300 South**

Mr. Joseph Moore presented the application.

BACKGROUND

West Valley City is requesting to vacate various streets and alleys located in the Hayne's Addition Plat E Subdivision. The streets and alley's to be vacated as part of this application include the following:

- All or portions of the alleys that are contained in blocks 2, 3, 4, 5, 7, and 8.
- All or portions of Howard Street, Morely Street, and unnamed streets to the south and north.

The above mentioned streets and alleys have never been formally improved. Properties that adjoin these areas have been using said streets and alleys as part of their business for many years. A determination was made during the establishment of the special improvement district that these properties should be vacated and added to the City's tax rolls.

The proposed street and alley vacation application will resolve many of the property issues relating to the Haynes Addition Plat E Subdivision. The vacation of these streets and alleys along with the improvement of other roads in the subdivision, will increase

property values and will allow better access and management of existing properties.

According to City Ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

There being no discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for approval of the street and alley vacations

Seconded by Commissioner Nixon

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - SV-4-2004 - approved

C-36-2004

Costa Azul Restaurant

3318 S. Decker Lake Dr.

C-2 Zone – General Commercial

Mr. Kevin Hooper presented the application.

West Valley City's General Plan recommends general commercial land uses.

Introduction:

This conditional use is a request to review the addition of a new restaurant building. The existing former Amici's Restaurant is also located on this parcel. The proposal is for a new 3000 square restaurant.

Issues:

- The original Amici's Restaurant was approved by the Planning Commission in October 1999. At that time the Planning Commission was reviewing all uses as required in the Overlay Zone found in Chapter 22 of the Zoning Ordinance. The addition of a new restaurant will need Planning Commission approval under the criteria found in the Commercial C-2 zone, new Commercial Design Standards and the Overlay Zone requirements. This pad is located next to the south side of the E-Center parking lot and east of the Crystal Inn hotel.
- The revised site plan has 103 parking spaces. The minimum number of parking spaces required by ordinance based on the two restaurant buildings is 112 spaces. If the Shared Parking provisions of Sec. 7-9-106 are applied there could be adequate parking, but a permanent recorded cross parking easement must be secured with an adjoining property. Joe Cunningham has approached Crystal Inn and they are not interested in coordinating parking and access. A second option was that West Valley City as owner of the adjoining E-Center may provide access to sufficient additional parking to satisfy the ordinance requirement. The applicant should be aware that cross access and parking provisions need to be in place in order to qualify for shared parking.
- A revised site plan showing better circulation and pick up window parking has been submitted. This arrangement still provides a tight circulation pattern on the south side of the new building.
- Pedestrian access is now evaluated as outlined in the Commercial Design Standards ordinance recently enacted. Staff has suggested a walkway between this project and the Crystal Inn permitting pedestrian access between buildings. The walkway through the parking lot should be created with decorative concrete to identify the pedestrian walk. A new walkway and outside patio has been provided along the northeastern side of the new restaurant. Extensions of these walkways at the front and rear of the building will be necessary.
- Landscaping has been designated in compliance to the C-2 zone and landscaping ordinance standards. There is 21.8 % of the site designated for landscaping where a minimum of 15% is required. The site has existing landscaping and street sidewalk provided with the original restaurant.
- The newly adopted Commercial Design Standards addresses the quality and architectural design of new commercial buildings. Colored building perspectives and elevations have been submitted to evaluate the compliance with the Commercial Design Standards. We will be working with the architect regarding revisions to the sides and rear elevation to provide greater design variation. Section 7-22-103 requires "a minimum of 50 percent of the building's materials must be compatible with the approved uses." Staff interprets this to mean that similar materials and colors are required. The new Commercial Design Standards now addresses these design concerns.

- Signage plans have not been submitted. The existing monument style sign on the site and would be converted to advertise Costa Azul. A new monument sign is proposed next to the existing restaurant. This monument sign should be designed with similar materials as the building and comply with the sign ordinance regarding size and location.
- The new Commercial Design ordinance would require one bike rack to be located on this project.

Applicant:

Joseph Cunningham
4139 South Colt Court

Discussion: Mr. Kevin Hooper informed the Commission that staff and the applicant are still working on parking issue. Commissioner Fuller asked if the applicant had any objections to the staff's alternatives. Mr. Joe Cunningham assured he did not have a problem with the staff's alternatives. He requested the City push for a pedestrian walkway between the Crystal Inn and his restaurants. Commissioner Nixon asked about the tenant for the Amici's building. Mr. Cunningham replied Ruby Tuesdays signed a letter of intent, but noted they are looking at other options besides Ruby Tuesday. He assured he can wait until a good tenant is found, such as Outback Steakhouse. Commissioner Fuller asked how other Ruby Tuesday Restaurants perform financially. Mr. Cunningham assured they perform fairly well, stating anything is better than an empty building. He indicated he has turned down less desirable restaurants such as Kettle Buffet, as he wants a business that is above average. Mr. Cunningham is looking for a national franchise to bring in name and recognition, and a business that will be located there for the long run. Commissioner Lang asked what happened to the Ruby Tuesday located by the Gateway Mall. Mr. Cunningham answered that restaurant was open for six weeks, but did not have enough customers from the Gateway Mall. He said the fixtures from that closed store would be utilized at this location. Commissioner Cisneros asked about the parking issues. Kevin Hooper assured they would be worked out, or the application would need to come back before the Planning Commission.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Fuller moved for approval of the conditional use for a new restaurant is subject to the resolution of any concerns raised at the public hearing and meeting the requirements of all affected departments and agencies, as well as the following:

1. Site revision that include adding pedestrian walkways and bike rack in compliance with the Commercial Design ordinance.

2. Façade design that meets the Commercial Design ordinance standards and approved by the Planning Commission at a future study session.
3. Providing minimum parking to comply with the Parking Chapter requirements of the zoning ordinance which is either on site with a smaller building or through recorded cross parking agreements.
4. Signage to be reviewed by the Planning Commission at a future study session.

Seconded by Commissioner Cisneros.

Roll call vote:

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Yes
Commissioner Matheson	Absent
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

Majority - C-36-2004 - approved

PLANNING COMMISSION BUSINESS

Approval of minutes from September 8, 2004 (Regular Meeting)

Approval of minutes from September 15, 2004 (Study Session)

Approved

There being no further business, the meeting adjourned at 4:48 p.m.

Respectfully submitted,

Lori Cannon, Administrative Assistant